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Division File

031 452 000 - Cook County
Hinsdale Section Landfill
Compliance

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

In the matter of:

VILLAGE OF WESTCHESTER

EPA 9011 HAZ

NOTICE OF INTENT TO ISSUE ORDER
PURSUANT TO P.A. 85-1321I. NOTICE

The Environmental Protection Agency (hereinafter, the "Agency") hereby notifies the Village of Westchester (hereinafter, the "Village") of its intent to issue an order requiring the Village to provide water to service connections to residents of the Hickory, Shagbark and Aloha Lane homes (as described in Section II (2) below), pursuant to authority vested in the Agency by Section 1018.1 of the Environmental Protection Act (hereinafter, the "Act"), Ill. Rev. Stat. ch. 111 1/2, para. 1018.1 (Public Act No. 85-1321, effective August 31, 1988).

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II. FINDINGS OF FACT

1. The Village of Westchester is the owner of a public water supply that currently serves residents of the Village.
2. Twelve residential dwellings (hereinafter the "Hickory, Shagbark and Aloha Lane homes") are located on Hickory Lane, Shagbark Lane and Aloha Lane, which roads intersect and extend north from 31st Street, in Section 30, Township 39 North, Range 12, East of the Third Principal Meridian, in Proviso Township, unincorporated Cook County. The Hickory, Shagbark and Aloha Lane homes are not served by any public water supply.
3. Water samples collected on July 20, 1988 from private wells at the Hickory, Shagbark and Aloha Lane homes indicated the presence of methylene chloride, 1,1-Dichloroethane, vinyl chloride and chloroethane.
4. The Hickory, Shagbark and Aloha Lane homes are located within 1 1/2 miles of the water supply owned by the Village.
5. The public water supply of the Village has adequate capacity to service connections to the Hickory, Shagbark and Aloha Lane homes.
6. John Sexton Sand & Gravel Corp., an Illinois corporation with principal offices located at 1815 South Wolf Road, Hillside, Illinois 60162, has represented to the Agency that it will pay the expenses necessary to construct a water line from the Village to the Hickory, Shagbark and Aloha Lane homes.

IV CONCLUSION OF LAW

1. The Village of Westchester is the owner of a public water supply.
2. Methylene chloride, 1,1-Dichloroethane, vinyl chloride and chloroethane are hazardous substances as defined in Section 3.14 of the Act, Ill. Rev. Stat. ch. 111 1/2, para. 1003.14.
3. The presence of hazardous substances in the private wells of the Hickory, Shagbark and Aloha Lane homes constitutes a release or a substantial threat of a release of a hazardous substance into potable water, under Section 18.1 of the Act, Ill. Rev. Stat. ch. 111 1/2, para. 1018.1 (Public Act No. 85-1321).

V DETERMINATION

Based upon the Findings of Fact and Conclusions of Law set forth above, the Agency has determined that it is necessary and appropriate to prevent harm to human health that the Village of Westchester provide water to the Hickory, Shagbark and Aloha Lane homes.

VI MEETING WITH AGENCY

If the Village of Westchester desires, the Agency will conduct a meeting with representatives of the Village at 10:30 AM on Wednesday, October 5, 1988 at the Springfield, Illinois office of the Agency, 2200 Churchill Road, Springfield, Illinois 63706. The purpose of this meeting will be to discuss the issues addressed in this Notice. Please contact Donald L. Gimbel of the Agency's legal staff at the Agency's Maywood office, 1701 South First Avenue, 6th Floor, Maywood, Illinois 60153, (312) 345-9780, if you have any questions.

By: Bernard P. Killian

Director

Illinois Environmental Protection Agency

Date: 9/30/88

STATE OF ILLINOIS)
)
COUNTY OF SANGAMON)

PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached
NOTICE OF INTENT TO ISSUE ORDER PURSUANT TO upon the person to
P.A. 85-1321
whom it is directed, by placing a copy in an envelope addressed to:

Mr. John J. Sinde, President
Village of Westchester
10240 Roosevelt Road
Westchester, IL 60153

Mr. John H. Crois
Village Manager
Village of Westchester
10240 Roosevelt Road
Westchester, IL 60153

and mailing it from Springfield, Illinois, on September 30,
19 88, with sufficient postage affixed, certified mail, return receipt
requested.

John J. Sinde

SUBSCRIBED AND SWORN TO BEFORE ME

this 30th day of September, 1988.

Barbara K. McGee
Notary Public

